



Department of Corrections
ADMINISTRATIVE BULLETIN

**Subject: PROCEDURE TO
ACCOMMODATE VICTIMS
WHO TESTIFY AT PAROLE
CONSIDERATION HEARINGS**

Number:

90/72

Date Issued:

September 26, 1990

Cancelled Effective:

December 25, 1990

The California Department of Corrections is committed to providing services to victims of crime and is implementing the Victim/Next of Kin Escort Policy to parole hearings before the Board of Prison Terms (BPT). The purpose of the escort service is to provide information and emotional support to the victim/next of kin at the time of the hearing.

The victim or next of kin has the right to appear, per Penal Code Section 3043, personally or by counsel, at the hearing and to adequately and reasonably express his or her views concerning the crime and the person responsible. Victims/next of kin shall be notified in advance of the hearing and upon arrival at the correctional facility, shall be escorted to the hearing. So that the appearance of the victim(s) is meaningful and less stressful, the hearing process will be fully explained. Each institution's Victim Services Representative (VSR) and/or Classification and Parole Representative (C&PR) is responsible to the Warden for execution of this policy.

METHODS

A. Case Screening

1. The Case Records Manager is responsible for ensuring that the inmate's Central File is screened for victim/next of kin request for notification of pending BPT Inmate Parole Consideration Hearings.
2. A Victim's Notice of Hearing (BPT 1087D, Attachment A) will be sent to the victim/next of kin, if requested, stating the time, date and place of the BPT Life Parole Consideration Hearing. The C&PR is responsible for sending the notice at least 30 days prior to the hearing date. Accompanying the notice will be an Advance Information Sheet (Attachment B) with information about what to expect at a BPT Life Parole Consideration Hearing. The C&PR is responsible for expanding on additional information regarding the BPT 1087D including the exact date, time, and place of the hearing, and to list themselves as the institutional person to contact regarding any questions about the hearing.
3. No later than seven working days before the hearing, the victim/next of kin or counsel must respond in writing to the Executive Officer of the BPT stating his/her intent to attend the hearing. The BPT will notify the C&PR of the authorization for the victim/next of kin or counsel to attend the hearing.
4. Upon notification, the C&PR will initiate "clearance" per institution procedures. The C&PR will then notify the institution's VSR.



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- 2 -

B. Escort Procedures

1. The institution's VSR will meet the victim/next of kin or counsel at the entrance to the institution. Processing into the institution will be accomplished by entrance building staff per institution policy. The VSR will be present during processing to assist as needed.
2. The institution's VSR will escort the victim/next of kin or counsel to a room in the BPT hearing area separate and apart from the inmate and/or the inmate's attorney. At that time, questions concerning the hearing process will be answered by the VSR. The VSR will remain with the victim/next of kin or counsel until the beginning of the hearing. The VSR will have previously ensured that the hearing room has proper accommodations for the victim/next of kin or counsel such as water, drinking glasses, facial tissues, etc.
3. During the hearing, the institution's VSR will be available outside the hearing room and will greet the victim/next of kin or counsel upon recess and conclusion of the hearing. At no time before or after the hearing will the inmate or the inmate's attorney be permitted to direct questions or comments directly to a victim/next of kin or counsel.
4. Upon completion of the hearing, the victim/next of kin or counsel will be escorted to an area providing privacy where the victim/next of kin or counsel may express thoughts and/or emotional response to the hearing, if desired.

The victim/next of kin or counsel will be informed of the need to notify the Executive Officer, BPT, of any change in his/her mailing address for notification of future hearings. (The address of the Executive Officer of the Board of Prison Terms is 545 Downtown Plaza, Suite 200, Sacramento, CA 95814.)

5. The institution's VSR will accompany the victim/next of kin or counsel during exit processing from the institution.

It shall be the responsibility of each Warden to ensure compliance with these procedures for inmates/parole violators confined in his/her facility.

Please inform all persons concerned of the contents of this bulletin which shall remain in effect either until canceled effective the above date or until incorporated into the appropriate section of



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- 3 -

the Department's Operations Manual. Direct any inquiries regarding this bulletin to Sandi Menefee, Victims of Crime Services Coordinator, or Richard Johnson, Crime

R. H. DENNINGER
Chief Deputy Director

Attachment